



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**TUESDAY, NOV 13, 2007
7:00 P.M.**

OPENING MATTERS

**CALL TO ORDER
INVOCATION: TBA
PLEDGE OF ALLEGIANCE
ROLL CALL**

PROCLAMATIONS AND PRESENTATIONS

Council Commendations:

Adam Broad and the members of Troop 161 for their work landscaping the Reading Police Memorial.

PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.

Those commenting on an agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes.

No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's presentation. Citizens may not ask questions of Council member or other elected or public official in attendance.

APPROVAL OF AGENDA AND MINUTES

2. AGENDA: Council Meeting of November 13, 2007.

3. MINUTES: Council Meeting of October 22, 2007.

4. CONSENT AGENDA

5. ADMINISTRATIVE REPORTS

6. FINANCE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

8. REPORTS FROM DIRECTORS & BOARDS AUTHORITIES AND COMMISSIONS

9. ORDINANCES FOR FINAL PASSAGE

Tabled Pending Further Discussion:

Bill No. 16- amending the City of Reading Codified Ordinances by regulating advertisements for the sale of real estate in the City of Reading. **(Waltman/Goodman-Hinnershitz)** *Introduced and tabled at the 03/12/07 meeting of Council.*

Bill No. 58- amending Chapter 1 of the City of Reading Codified Ordinances, Charter Board Ordinance, Section 599.25: Enforcement, Violations and Penalties. **(Council Staff/Solicitor)** *Introduced at the 07/09/07 meeting of Council; tabled at the 07/23/07 meeting of Council pending discussion with the Charter Board.*

Bill No. 64- renaming of sections of River Road and Front Street – from Schuylkill Avenue to Riverfront Drive – to Riverfront Drive. **(Council Staff)** *Introduced at the 08/13/07 meeting of Council; tabled pending further discussion, at the 08/27/07 meeting of Council.*

Bill No. 65- amending the purchasing procedures contained in the City of Reading Codified Ordinances. **(Spencer)** *Introduced at the 08/13/07 meeting of Council; tabled at the 08/27/07 meeting of Council and referred to the Finance Committee for review.*

Bill No. 76- amending the City of Reading Zoning Ordinance to permit Fire Houses by Special Exception in R-PO (Residential Professional-Office), C-H (Commercial Highway), M-C (Manufacturing Commercial) and H-M (Heavy Manufacturing) Zoning Districts. **(Solicitor/Zoning Administration/Planning)** *Introduced at the 10/22/07 meeting of Council; tabled pending the holding of a public hearing and expiration of comment period.*

Bill No. 73 - execute a certain “Consent and Joinder” to join in an amended petition to terminate the Clinton F. Earl Trust (Solicitor) *Introduced at the 9-24 Regular Meeting; tabled at the 10/08 meeting of Council pending review of additional questions; tabled again at the 10/22 meeting of Council.*

10. INTRODUCTION OF NEW ORDINANCES

Ordinance- amending the Codified Ordinances of the City of Reading, Chapter 6, Part 4 Conduct, Subsection A. Prohibiting the discharge of firearms, by increasing the penalties assessed. **(Mayor)**

Ordinance- setting the salary of the Director of Human Resources at \$80,000.00. **(Managing Director)**

All Budget Ordinances were introduced at the 11/01/07 Special Meeting of Council and have not satisfied the two week layover requirement.

Ordinance- Establishing the General Fund Budget for the City of Reading including revenues and expenses for the fiscal year beginning January, 1 2008 and ending December 31, 2008.

Ordinance- Establishing the Capital Improvement Plan Budget for the City of Reading including revenues and Capital expenditures for the fiscal year beginning January 1, 2008 and ending December 31, 2008

Ordinance- Establishing the Full-Time Employee positions for the City of Reading for the fiscal year 2008.

Ordinance- Levying the real estate taxes for the fiscal year beginning the first day of January, 2008 and ending the thirty-first day of December, 2008.

Ordinance- Repealing the Emergency Municipal Services Tax and enacting the Local Services Tax

11. RESOLUTIONS

Resolution 124-2007 - supporting the adoption of the national cool cities climate protection agreement, which has been adopted by numerous municipalities across the country. **(Goodman-Hinnershitz)** *Tabled at the 9-10-07 meeting of Council and referred to the City Environmental Advisory Council*

Resolution- adopting the 2008 CDBG Action Plan. **(Community Development)**

Resolution- reprogramming and additional \$49,623 in unprogrammed ESG funds for operational costs to the existing ESG agreement. **(Community Development)** *Introduced and tabled at the 10/08/07 meeting of Council; tabled again at the 10/22 meeting of Council.*

Resolution- denying a Certificate of Appropriateness for the property located at 428 Spring Street. **(Council Staff)**

Resolution- appointing Christine Wheelen as Human Resources Director for the City of Reading. **(Managing Director)**

Resolution- promoting Officer Stephen W. Anderson to the rank of Sergeant. **(Chief Heim)**

Resolution- promoting Officer Kevin A. Berkel to the rank of Sergeant. **(Chief Heim)**

Resolution- appointing Manuel Candelario to the Blighted Property Review Committee **(Administrative Oversight)**

Resolution- appointing Mary Wolfe to the Blighted Property Review Committee **(Administrative Oversight)**

PUBLIC COMMENT - GENERAL MATTERS COUNCIL BUSINESS / COMMENTS

COUNCIL MEETING SCHEDULE

Committee of the Whole- Mon, November 13th, Council Office 5:00p.m.

Regular Meeting- Mon, November 13th, Council Chambers 7:00p.m.

Meeting with the Mayor- Wed, November 14th, Mayor's Office 4:00p.m.

Capital Budget Public Hearing- Thurs, November 15th, Council Chambers 5:00p.m.

General Fund Budget Public Hearing- Mon, November 19th, Council Chambers 5:00p.m.

Work Session- Mon, November 19th, Penn Room 7:00p.m.

Meeting with the Mayor- Wed, November 21st, Mayor's Office 4:00p.m.

Thanksgiving Holiday- City Hall closed Thurs 22nd-Fri 23rd

Committee of the Whole- Mon, November 26th, Council Office 5:00p.m.

Regular Meeting- Mon, November 26th, Council Chambers 7:00p.m.

BILL NO. _____ 2007
A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN “CONSENT AND JOINDER” TO JOIN IN AN AMENDED PETITION TO TERMINATE THE CLINTON F. EARL TRUST AND CONSENT TO THE RELIEF REQUESTED THEREIN.

WHEREAS, on March 4, 1946, Clinton F. Earl (decedent) died testate; and

WHEREAS, in his Will, the decedent directed that 25% of the residue of his estate be used for purchasing property for park purposes, preferably woodland on Mount Penn or Neversink Mountain; and

WHEREAS, the court appointed a certain trustee over said portion of the residue; and

WHEREAS, the trust has existed until the present and the current trustee, Wachovia Bank, N.A., petitioned the court to dissolve said trust; and

WHEREAS, the City of Reading objected to the dissolution petition; and

WHEREAS, a proposed amicable resolution to the distribution of trust assets exists (Exhibit “A” attached); and

WHEREAS, the City of Reading agrees to the proposed distribution.

**NOW, THEREFORE THE COUNCIL OF THE CITY OF READING
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. The Mayor is authorized to execute the “Consent and Joinder” to effect the City of Reading’s joinder in the Amended Petition to Terminate the Clinton F. Earl Trust as well as to consent to the relief stated therein.

SECTION 2. This Ordinance shall be effective ten (10) days after passage and approval by the Mayor, or as provided in the City of Reading’s Charter.

BILL NO. _____-2007

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF READING ZONING ORDINANCE PER EXHIBIT "A," TO PERMIT FIREHOUSES BY SPECIAL EXCEPTION IN THE R-PO (RESIDENTIAL PROFESSIONAL-OFFICE), C-H (COMMERCIAL HIGHWAY), M-C (MANUFACTURING COMMERCIAL) AND H-M (HEAVY MANUFACTURING) ZONING DISTRICTS

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Zoning Ordinance of the City of Reading is amended to permit firehouses by special exception R-PO (RESIDENTIAL PROFESSIONAL-OFFICE), C-H (COMMERCIAL HIGHWAY), M-C (MANUFACTURING COMMERCIAL) AND H-M (HEAVY MANUFACTURING) zoning districts per attached Exhibit "A."

SECTION 2. All other provisions of the City of Reading Zoning Ordinance, Section 27-101 et seq. of the City of Reading Codified Ordinances shall remain unchanged and in full force and effect.

SECTION 3. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted _____, 2007

President of Council

Attest:

City Clerk

(LAW DEPT.)

EXHIBIT A

FIRE STATIONS

[illegible]

* front yards may be reduced in depth to an average alignment of the majority of the existing buildings on the same block frontage. Side yards may be eliminated, when attached to an abutting structure with a zero setback

27-1202.17 FIRE STATION - may be permitted by special exception in the R-PO, C-H, M-C and H-M zones provided that the following standards are met, along with any other stipulations set forth by the Zoning Hearing Board.

A) a proposed social hall and/or benefit association shall be considered as an additional "principal use" for the purposes of this Part;

B) a complete plan of proposed traffic signalization and disruption devices, lighting, alarms, sirens, public address systems, and other infrastructure commonly associated with fire stations, shall be provided to the Planning Commission as part of the review required by §303.a.2 of the Pennsylvania Municipalities Planning Code and/or land development plans;

C) fire fighting and rescue vehicles and apparatus may be staged/displayed within their station's front yard. Fire stations are hereby exempted from the driveway width standards set forth in §§27-1503.2.B and -1503.3.A, and the setback consideration of §27-1602.2.

27-1603.1.CC Fire stations: one space for each employee on the largest working shift, in addition to any spaces reserved for City-owned vehicles and apparatus. An additional 20% shall be provided for visitors.

27-2202 FIRE STATION - any building owned, occupied or managed by the City's Department of Fire & Rescue Services, used primarily for the housing and readiness of fire fighting and rescue vehicles and apparatus, including but not necessarily limited to engines, ladders and ambulances. Fire stations may include residential accommodations for on-duty personnel, when limited to 20% of the station's total gross floor area and in compliance with applicable building codes.

**BILL NO ____-2007
AN ORDINANCE**

AMENDING THE CODIFIED ORDINANCES OF THE CITY OF READING CHAPTER 6, PART 4 CONDUCT, A. PROHIBITING THE DISCHARGE OF FIREARMS AND RENUMBERING ACCORDINGLY.

**NOW, THEREFORE THE COUNCIL OF THE CITY OF READING
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. Amending the Codified Ordinances Chapter 6, Part 4 Conduct, A. Prohibiting the Discharge of Firearms and renumbering accordingly as attached hereto as Exhibit A.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2007

Vaughn D. Spencer, President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

EXHIBIT A

A. Prohibiting the Discharge of Firearms

§6-401. Definitions

As used in this Part, the following words shall have the meanings indicated:

Discharge – The expulsion of a projectile from a Firearm or the operation of a Firearm in such a manner so as to lead one to reasonably conclude by sight or sound, that a projectile was expelled from a Firearm. If the Firearm used is capable of the expulsion of a projectile, its firing alone shall be sufficient to constitute a discharge and no further proof of the expulsion of a projectile shall be necessary.

Firearm -- Any device which is designed and intended to expel a projectile by action of gun powder, any other explosive, compressed air, compressed gas or mechanical device including, any device which, when discharged, would by sound or otherwise, (1) lead another to reasonably conclude by sight or sound that the device expelled a projectile or (2) give the appearance of the expulsion of a projectile even though no expulsion of a projectile occurred. By way of example and not limitation, items that are to be considered Firearms under this Article include guns, pistols, rifles and shotguns. The definition of "Firearm" shall not be deemed to include items that are traditionally considered to be children's toys when used in the manner for which they were designed. The definition of "firearm" shall not include starter pistols when used in the manner in which they were intended; i.e. to signify the start of a race or other similar event.

~~§6-401.~~ §6-402. Discharge of Firearms Prohibited.

Except in necessary defense of person or property, or as provided in the exceptions set forth in Subsection A of this part, it shall be unlawful for any person to use, fire, or discharge any gun or other firearm within the City.

(Ord. 14-2001, 5/29/2001)

A. The following acts shall not constitute a violation as set forth in §6-402:

1. The discharge of a firearm by a law enforcement officer or military personnel acting within the line of duty, including but not limited to active operations, training exercises and ceremonies.

2. The discharge of a firearm for purposes of hunting or other activities regulated by and conducted in accordance with the Game and Wild Life Code of Pennsylvania.

3. The discharge of a firearm within a properly constructed and legally permitted firing range duly established within the City of Reading.

4. The discharge of a firearm at an event, for which the party organizing or promoting such event has obtained a special permit issued by the Chief of Police of the City of Reading.

~~§6-402.~~ §6-403. Use of Air Rifles, Bow and Arrows or Similar Devices Restricted.

Except as provided in Subsection A. of this part it shall be unlawful for any person to discharge any air rifle, air pistol, spring gun, spring pistol, B-B gun, bow and arrow, or similar device, or any implement that is not a firearm but which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm, at any place within the City, except as provided in §6-413 of this Part, and except on a target range which is properly constructed to trap or stop the projectile as ascertained by the Chief of Police.

(Ord. 14-1001, 5/29/2001)

A. The following acts shall not constitute a violation as set forth in §6-403:

1. The discharge of a firearm by a law enforcement officer or military personnel acting within the line of duty, including but not limited to active operations, training exercises and ceremonies.

2. The discharge of a firearm for purposes of hunting or other activities regulated by and conducted in accordance with the Game and Wild Life Code of Pennsylvania.

3. The discharge of a firearm within a properly constructed and legally permitted firing range duly established within the City of Reading.

4. The discharge of a firearm at an event, for which the party organizing or promoting such event has obtained a special permit issued by the Chief of Police of the City of Reading.

§6-404. Permits for limited discharge of firearms

The Chief of Police of the City of Reading may issue a permit to allow the limited discharge of firearms for events or activities within the City of Reading, upon application of the party responsible for the organization or promotion of such event or activity. The Chief of Police shall only issue a permit once he/she has determined in his/her judgment that adequate safety measures have been or will be taken such that the discharge of firearms during the event or activity will not pose a significant risk to the health and safety of the residents of the city, or the participants and spectators during the event or activity. The issuance of a permit under this section shall not be unreasonably withheld or delayed. By way of example and not limitation, the events or activities for which permits may be issued include target shooting competitions or demonstrations, fireworks demonstrations and block shoots.

~~§6-404.~~ §6-405. Penalties for Violation.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be fined \$500.00 for each offense and the cost of prosecution and shall be ordered to pay restitution, in an amount determined by the court, for damages to person or properties suffered by a victim as a result of the violation of this Part and shall serve a term of imprisonment of 90 days. Each Discharge as defined herein shall constitute a separate and distinct offense and sentences therefore shall be imposed for each offense and may not run concurrently but must run consecutively to each other. The fines collected by the district justice for a violation of provisions of this Article shall be paid over to the City of Reading

BILL NO. _____-2007

AN ORDINANCE

AN ORDINANCE OF THE CITY OF READING SETTING FORTH THE SALARY OF THE HUMAN RESOURCES DIRECTOR.

SECTION 1. COMPENSATION. The salary of the Human Resources Director, CHRISTINE WHEELLEN, shall be EIGHTY THOUSAND DOLLARS (\$80,000) per annum, payable in equal bi-monthly installments.

SECTION 2. BENEFITS. CHRISTINE WHEELLEN shall receive benefits accorded to other non-union management/professional personnel of the City.

SECTION 3. REPEALER. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective ten days after Council's confirmation.

Passed Council _____, 2007

President of Council

Attest:

City Clerk



CITY OF READING,
PENNSYLVANIA

MEMORANDUM

TO: Linda Kelleher, City Clerk
FROM: Adam Mukerji, Community Development Manager
DATE: August 22, 2007
SUBJECT: Passage of a resolution authorizing the Mayor to execute a 2007 Action Plan amendment.

CD is asking City Council to approve the amendment at the **October 8, 2007** City Council meeting.

BACKGROUND: The CD Office consultant Triad Associates have determined that there is \$49,623 available in unprogrammed Emergency Shelter Grant funds. The Opportunity House currently has a FFY2007 ESG Agreement with the City of Reading for \$62,575.

BUDGETARY IMPACT: None.

PREVIOUS ACTION: None.

SUBSEQUENT ACTION: None.

RECOMMENDED BY: Mayor, Managing Director, and CD Manager.

RECOMMENDED MOTION: To amend the FFY2007 one year Action Plan to reprogram an additional \$49,623 in unprogrammed ESG funds for operational costs to the existing FFY2007 ESG Agreement of \$62,575 for the Opportunity House. The FFY2007 ESG Agreement new total will be \$112,198.

Cc: L. Churchill
N. Nemeth
B. Skimski
D. Witwer
S. Lingle, Triad Associates



RESOLUTION NO. _____

**RESOLUTION OF THE COUNCIL OF THE CITY OF READING
AUTHORIZING THE MAYOR TO EXECUTE A
FFY2007 ONE YEAR ACTION PLAN AMENDMENT**

WHEREAS, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for community planning and development programs which will serve as: (1) a planning document for the City that builds on a participatory process at the grass roots level, (2) an application for federal funds under HUD's formula grant program, (3) a strategy to be followed in carrying out HUD programs, and (4) an Action Plan that provides a basis for assessing performance;

WHEREAS, the FFY2004 to FFY2008 five year Consolidated Plan (30th to 34th CD years January 1, 2004 to December 31, 2008) and the FFY2007 one year Action Plan (33rd CD year January 1, 2007 to December 31, 2007) have been prepared meeting HUD's requirements and providing guidance for addressing the housing and community development needs of the City;

WHEREAS, \$49,623 is available in ESG funds to re-program for eligible and fundable activities.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

The FFY2007 one year Action Plan is amended to reprogram an additional \$49,623 in unprogrammed ESG funds for operational costs to the existing FFY2007 ESG Agreement of \$62,575 for the Opportunity House located at 430 North Second Street. The FFY2007 ESG Agreement new total will be \$112,198.

The activity is eligible as per 24 CFR 576.21 (a) (3).

The Mayor, on behalf of the City of Reading, is authorized and directed to execute the amendment to the satisfaction of HUD.

PASSED COUNCIL _____, 2007

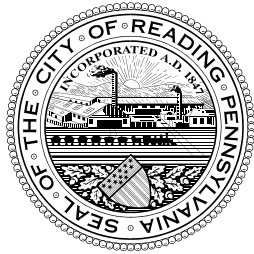
PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

TO:

CITY COUNCIL



FROM:

ADAM MUKERJI, MANAGER

AGENDA MEMO

COMMUNITY DEVELOPMENT

CC:

THOMAS MCMAHON, MAYOR

LEON CHURCHILL, MANAGING DIRECTOR

MEETING DATE:

NOVEMBER 12, 2007

AGENDA MEMO DATE:

OCTOBER 1, 2007

REQUESTED ACTION:

To approve submission of the FFY2008 (34th CD year January 1, 2008 to December 31, 2008) Action Plan to the U.S. Department of Housing and Urban Development (HUD).

CD is asking City Council to pass the resolution at the **November 12, 2007** City Council meeting.

BACKGROUND: For the fiscal year beginning on January 1, 2008, the City of Reading anticipates receiving approximately \$3,000,000 CDBG, \$950,000 HOME, \$135,000 ESG funds from the U.S. Department of Housing and Urban Development (HUD). HUD requires the City to expend those funds in accordance with federal regulations and City policy as detailed in both a five-year Consolidated Plan and a one-year Action Plan. The Consolidated Plan is applicable to the 30th to 34th CD years January 1, 2004 to December 31, 2008. The Action Plan is the annual budget explaining how the administration intends to spend HUD funds and demonstrate how those expenditures conform to HUD regulations. Action Plans must be submitted to HUD for review and approval at least forty-five (45) days prior to the beginning of each fiscal year. Community Development develops the Action Plan based upon requests from City Departments and the general public. Community Development reviews the requests to determine compatibility with HUD regulations, the Consolidated Plan, and City policy. The Action Plan is advertised and made available for public review and comment for a period of thirty (30) days. Community Development will present the Action Plan in a formal public hearing in the form of a televised broadcast on BCTV. Upon approval by Council, the Action Plan will be sent to HUD for their review and approval.

BUDGETARY IMPACT: None.

PREVIOUS ACTION: None.

SUBSEQUENT ACTION: If approved by Council, the FFY2008 (34th CD year January 1, 2008 to December 31, 2008) Action Plan will be submitted to HUD on November 15, 2007 for their review and approval.

RECOMMENDED BY: Managing Director and Mayor.

RECOMMENDED MOTION: To approve/deny a Council Resolution authorizing submission of the Action Plan to the Department of Housing and Urban Development for their review and approval.

RESOLUTION No. _____

**RESOLUTION OF THE COUNCIL OF THE CITY OF READING AUTHORIZING
SUBMISSION OF THE FFY2008 (34TH CD YEAR JANUARY 1, 2008 TO DECEMBER
31, 2008) ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT**

WHEREAS, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for community planning and development programs which will serve as: (1) a planning document for the City that builds on a participatory process at the grass roots level, (2) an application for federal funds under HUD's formula grant program, (3) a strategy to be followed in carrying out HUD programs, and (4) an Action Plan that provides a basis for assessing performance;

WHEREAS, the FFY2004 to FFY2008 five year Consolidated Plan (30th to 34th CD years January 1, 2004 to December 31, 2008) that addresses the housing and community development needs of the City has been previously approved by City Council;

WHEREAS, the FFY2008 (34th CD year January 1, 2008 to December 31, 2008) Action Plan specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during the program year;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

The FFY2008 (34th CD year January 1, 2008 to December 31, 2008) Action Plan is hereby approved.

The Mayor, on behalf of the City of Reading, is authorized and directed to file the application for financial assistance to carry out the housing and community development activities outlined in the plan; and to execute the necessary certifications in connection with the plan and provide such additional information as may be required.

PASSED COUNCIL _____, 2007

PRESIDENT OF COUNCIL

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

Denying the appeal on the Certificate of Appropriateness, as
attached, for 428 Spring Street, owner/applicant Francisca
Mendez.

Adopted by Council _____, 2007

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher, City Clerk

Appeal of Historic Architectural Review Board

Certificate of Appropriateness

IN THE MATTER OF

FRANCISCA MENDEZ,

RESPONDENT,

428 SPRING STREET

§
§
§
§
§
§
§

BEFORE THE

CITY OF READING

CITY COUNCIL

FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER, AND AGREED RESOLUTION

On Monday, October 15, 2007 the City of Reading City Council (Council) met to hear testimony on the appeal of the decision made by the Historic Architectural Review Board (HARB) on the Certificate of Appropriateness for the installation of vinyl siding on 428 Spring Street, owned by Francisca Mendez (respondent) and located in the Centre Park Historic District. A quorum of the Council was present. By majority vote the Council determined there was credible evidence to uphold the decision of HARB and deny the appeal, on the terms proposed in this order.

Findings of Fact

1. The Historic Architectural Review Board (HARB) is an under the City of Reading Codified Ordinances Chapter 4 Part 1 – Historic Districts. The HARB is a board of 7 duly qualified members.
2. The respondent appeared at the September 18, 2007 HARB meeting and requested that the Board issue a Certificate of Appropriateness to install double 4” Dutchlap vinyl siding in the color “Cypress” and capping in aluminum of exterior wood surfaces on the front and rear facades. The respondent’s request was denied by HARB, as the project does not comply with the standards set by the Secretary of Interior and the proper permits were not obtained from HARB and the City Codes Division.
3. The respondent requested an appeal hearing before City Council the week of September 28, 2007. The respondent was advised of the hearing date in a letter dated October 9, 2007.
4. City Council took testimony from the respondent and the Historic Preservation Specialist at the hearing held on Monday, October 15, 2007.
5. The respondent stated her belief that the installation of the vinyl siding would improve the insulation of the home and reduce future maintenance obligations.
6. The respondent stated her belief that obtaining a permit was the responsibility of the contractor, not the property owner.

7. The respondent also admitted to installing replacement windows in 1997 and enclosing the upper back porch in 2002 without permits.
8. The respondent made a claim that many other properties in this neighborhood have vinyl siding and distributed photographs to support that claim.
8. The Historic Preservation Specialist testified that she visited the project and interrupted the installation of the vinyl siding when responding to a complaint that the project was occurring without the appropriate permits. The damage to the brick façade was documented by the photographs taken on this day by the Historic Preservation Specialist and distributed for viewing purposes at the hearing.
9. The Historic Preservation Specialist stated that the Respondent's application for a Certificate of Appropriateness was denied at the HARB meeting on September 18, 2007 due to the fact that the use of vinyl siding does not meet the standards set by the Secretary of the Interior of the Commonwealth, the property owner failed to obtain the proper City building permits, and over 50% of the homes in the block and the majority of homes in this neighborhood are in original condition and do not have siding.

Conclusions of Law

The Respondent violated the City of Reading Codified Ordinances Chapter 4 Buildings, Section 4-107. Required Permits and Certificates and the Standards set by the Secretary for the Interior for the Commonwealth of PA for properties located within approved Historic Districts.

Order and Agreed Resolution

The City of Reading City Council hereby denies the appeal to the Certificate of Appropriateness and orders the Respondent to restore the façade of 428 Spring Street to its original condition. City Council further hereby orders the Respondent to remove the wood material installed to enclose the upper back porch.



AGENDA MEMO

MANAGING DIRECTOR

TO: President Spencer and the City Council

FROM: Leon Churchill, Managing Director

MEETING DATE: November 13, 2007

AGENDA MEMO DATE: November 5, 2007

RECOMMENDED ACTION: Approve a Resolution appointing Christine Wheelen as the City's Human Resources Director. In addition, it is recommended that the salary ordinance be approved.

BACKGROUND:

The Human Resources Director, as defined by the Reading Home Rule Charter, shall be responsible for administering the personnel system on the merit principles described in this Charter and promulgated by City Council as a part of the Personnel Code or otherwise. The Director of Human Resources shall coordinate and oversee the hiring, training, assignment, re-assignment, rotation, performance evaluation, and discharge of all employees.

The nominee, Michelle Wheelen, has her Master's Degree in Business Administration as well as her Senior Professional in Human Resources Certification (SPHR). Ms. Wheelen is a business professional with broad experience in Human Resources Management, including recruitment and employment, training and development, strategic planning, compensation and salary administration, employee benefits/health care design and administration, performance management, diversity initiatives and worked in both unionized and non-union environments.

BUDGETARY IMPACT: Sufficient funds are available in the Human Resources Department budget for the remainder of 2007 and 2008.

PREVIOUS ACTION: None

RECOMMENDED BY: Mayor and Managing Director

RECOMMENDED MOTION: Appointment of Christine Wheelen to Human Resources Director.

RESOLUTION NO. _____-2007

CONFIRMING THE APPOINTMENT OF CHRISTINE WHEELEN, AS HUMAN RESOURCES DIRECTOR FOR THE CITY OF READING.

WHEREAS, Thomas M. McMahon, Mayor of the City of Reading, has moved the appointment of Christine Wheelen as Human Resources Director for the City of Reading; and

WHEREAS, the City Council of the City of Reading believes that Christine Wheelen is qualified to assume the position of the Human Resources Director.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

The appointment of Christine Wheelen as Human Resources Director is hereby confirmed, effective immediately.

Passed Council _____, 2007

President of Council

Attest:

City Clerk



AGENDA MEMO

POLICE DEPARTMENT

TO: City Council
FROM: Chief William M. Heim
PREPARED BY: Chief William M. Heim
MEETING DATE: November 12, 2007
AGENDA MEMO DATE: November 2, 2007
REQUESTED ACTION: Authorize the Promotion of two Patrol Officers to Sergeants

RECOMMENDATION

The Mayor and Police Chief recommend the promotion of the following patrol officers to the rank of Sergeant:

Officer Stephen W. Anderson, date of employment January 16, 2001
Officer Kevin A. Berkel, date of employment November 25, 1991

BACKGROUND

There were five vacancies for Sergeant due to the promotion of Lt. Stephen Powell and the retirements of Sergeants T. Trupp, T. Kampe, C. Loftus, and V. Fisher. Three of these were filled on October 22. The two remaining vacancies will be filled by the promotion of these two officers. These police officers took the written and oral examinations for the position of sergeant conducted by the Reading Police Civil Service Board. They are the only candidates remaining who are on the list certified by the Board. In addition, the Police Chief has reviewed their performance, dependability, and conduct and the Mayor and Police Chief recommend them for promotion.

BUDGETARY IMPACT

None. These funded positions have become vacant due to a promotion and retirements.

PREVIOUS ACTIONS

None

SUBSEQUENT ACTION

Council to take action to approve a resolution to authorize the promotion of the above named officers to the rank of Sergeant.

RECOMMENDED BY

The Mayor and Police Chief recommend approval.

RECOMMENDED MOTION

Approve/deny the resolution authorizing the promotion of Stephen W. Anderson and Kevin A. Berkel to the rank of Sergeant with the Reading Police Department effective November 12, 2007.

RESOLUTION NO. _____

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:**

Promoting Police Officer Stephen W. Anderson to the rank of Sergeant for
the Reading Police Department effective November 14, 2007.

Adopted by Council _____, 2007

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:**

Promoting Police Officer Kevin A. Berkel to the rank of Sergeant for the Reading Police Department effective November 14, 2007.

Adopted by Council _____, 2007

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:**

That Manuel Candelario is appointed to fill the unexpired term of
Reginald Nealy, of the Blighted Property Review Committee, with a term
ending April 9th, 2009.

Adopted by Council _____, 2007

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO._____

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:**

That Mary Wolfe is appointed to the Blighted Property Review
Committee, with a term ending November 13th, 2007.

Adopted by Council_____, 2007

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

